

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, DC

ORDER NO. 8522

IN THE MATTER OF:

Served January 24, 2005

CHEEKS & SON TRANSPORTATION, INC.,)
Suspension and Investigation of)
Revocation of Certificate No. 415)

Case No. MP-2004-195

This matter is before the Commission on respondent's response to Order No. 8346, served October 22, 2004.

Under the Compact, a certificate of authority is not valid unless the holder is in compliance with the Commission's insurance requirements.¹ Commission Regulation No. 58 requires respondent to insure the revenue vehicles operated under Certificate No. 415 for a minimum of \$1.5 million in combined-single-limit liability coverage and maintain on file with the Commission at all times proof of coverage in the form of a WMATC Certificate of Insurance and Policy Endorsement (WMATC Insurance Endorsement) for each policy comprising the minimum.

Certificate No. 415 became invalid on October 21, 2004, when the \$1.5 million WMATC Insurance Endorsement on file for respondent terminated without replacement. Order No. 8346 noted the automatic suspension of Certificate No. 415 pursuant to Regulation No. 58-02, directed respondent to cease transporting passengers for hire under Certificate No. 415, and gave respondent thirty days to replace the expired endorsement or face revocation of Certificate No. 415. Respondent submitted a \$1.5 million replacement endorsement on November 22, 2004. The effective date of the new endorsement is October 29, 2004. This means that respondent was without insurance coverage for eight days, from October 21, 2004, through October 28, 2004.

Under Commission Rule No. 28, respondent is required to verify that it ceased transporting passengers for hire under Certificate No. 415 as commanded by Order No. 8346. We will give respondent thirty days to furnish proof that respondent ceased operations as of October 21, 2004. Inasmuch as respondent's only tariff is for service rendered to clients of the District of Columbia Department of Health, Medical Assistance Administration (DC Medicaid), such proof shall include confirmation from DC Medicaid.

¹ Compact, tit. II, art. XIII, § 7(g).

IT IS SO ORDERED.

BY DIRECTION OF THE COMMISSION; COMMISSIONERS YATES, MILLER, AND GUNS:

A handwritten signature in dark ink, appearing to read 'W.S. Morrow, Jr.', written in a cursive style.

William S. Morrow, Jr.
Executive Director